# MONTANA FISH, WILDLIFE AND PARKS FISHERIES BUREAU

## Draft Environmental Assessment Skelly Gulch Culvert Fish Barrier

#### Part I. Proposed Action Description

- A. Type of Proposed Action: Native species protection.
- B. Agency Authority for the Proposed Action:

**87-1-702.** Powers of department relating to fish restoration and management. The department is hereby authorized to perform such acts as may be necessary to the establishment and conduct of fish restoration and management projects as defined and authorized by the act of congress, provided every project initiated under the provisions of the act shall be under the supervision of the department, and no laws or rules or regulations shall be passed, made, or established relating to said fish restoration and management projects except they be in conformity with the laws of the state of Montana or rules promulgated by the department, and the title to all lands acquired or projects created from lands purchased or acquired by deed or gift shall vest in, be, there remain in the state of Montana and shall be operated and maintained by it in accordance with the laws of the state of Montana. The department shall have no power to accept benefits unless the fish restoration and management projects created or established shall wholly and permanently belong to the state of Montana, except as hereinafter provided.

C. Name of Project: Skelly Gulch culvert fish barrier

**D. Estimated Commencement Date:** August 2011

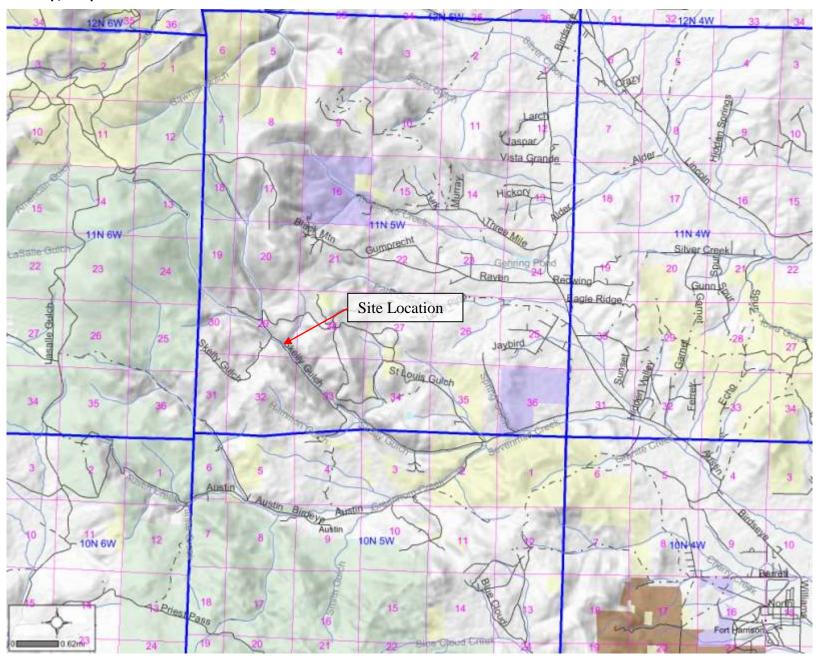
E. Location Affected by Proposed Action: Lewis and Clark County, T11N R5W Sec 29

F. Project Size:

Estimate the number of acres that would be directly affected that are currently:

- 1. Developed/residential—0 acres
- 2. Industrial—0 acres
- 3. Open space/woodlands/recreation—0 acres
- 4. Wetlands/riparian—100-125 feet of stream
- 5. Floodplain—0 acres
- 6. Irrigated cropland—0 acres
- 7. Dry cropland—0 acres
- 8. Forestry—0 acres
- 9. Rangeland—0 acres

### G. Map/site plan:



- H. Listing of any other Local, State, or Federal agency that has overlapping or additional jurisdiction.
  - a.Permits: COE 404 permit, pending; SPA 124 permit, pending
  - **b.Funding:** USFS Title II Funding; PPL Montana 2188 Mitigation Funding; FWP Future Fisheries Improvement Program

## I. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

Genetically pure westslope cutthroat (WCT) has been found in Skelly Gulch on Helena National Forest Lands and on private lands below the Forest. The upper reaches of the stream contain exclusively WCT, while the lower reaches are inhabited primarily by Eastern brook trout. The two species are segregated by a culvert road crossing that acts as a partial fish barrier, preventing large-scale upstream movements by spawning or migratory brook trout.

Genetically unaltered WCT are estimated to persist in less than 5% of their historical range in the Missouri River drainage. Brook trout are capable of out-competing WCT for essential resources and have completely displaced WCT in other streams. Westslope cutthroat trout are Montana's state fish and are designated as a *Species of Special Concern* by the State of Montana, a *Sensitive Species* by the USFS, and a *Special Status Species* by the BLM.

This project proposes to remove the existing road crossing, which acts as a partial barrier, and replace it with a culvert with appropriate size, slope, and drop to make the crossing a complete fish barrier. The current culvert is inappropriately sized for the stream, resulting in aggredation of sediments on the upstream end of the culvert, making it a partial fish barrier during base flows. The proposed project would replace the current 17 linear foot 36 inch diameter pipe with an 80 linear foot 48 inch diameter corrugated metal pipe. The new pipe will be placed at least a 3% slope to act as a velocity barrier, will have a 2 foot drop on the downstream end, and will have an 8 foot wide by 12 foot long splash pad to diminish fish jumping capabilities. The new pipe will be capable of passing 25 year flows without overtopping the road and will be able to efficiently pass sediments during base and flushing stream flows.

Currently, FWP has been able to mechanically remove brook trout from above the road crossing and replace downstream because relatively few brook trout move through the culvert. However, due to aggredation of sediments the culvert no longer appropriately conveys water during high flow events, making it a high risk for failure. This project would eliminate further upstream immigration by brook trout and would preserve the existing WCT population.

Funding for this project has been approved through USFS Title II Missouri River RAC, PPL Montana 2188 Mitigation Program, and pending approval through FWP Future Fisheries Improvement Program.

#### Part II. Environmental Review

#### A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES		IMP	ACT *		Can Impact Be	Comment Index
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Mitigated*	
a. **Soil instability or changes in geologic substructure?			Х		Yes	1a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			Х		Yes	1b
c. **Destruction, covering or modification of any unique geologic or physical features?		Х				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			Х		Yes	1d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		Х				
f. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Comment 1a, 1b, 1d: If the proposed action is implemented, a new culvert crossing would be placed adjacent to the existing culvert crossing. Construction activities would result in some short term increases in sediment levels; the disturbed area would be confined to the construction area (approximately 100-125 feet of stream). The construction area is accessible by road and most construction activities will be completed within the existing road bed, which should minimize compaction and deposition. The project would be implemented based on conditions stipulated by permitting agencies as well as the use of Construction Best Management Practices (BMPs) designed to reduce erosion and sedimentation and would include but may not be limited to the following measures:

- Work would occur during low flow conditions, which typically occurs late-summer or early-fall.
- Erosion control measures would be installed to control erosion and sediment release into the stream.
- Disturbed areas would be mulched and reseeded with a native plant mixture as soon as possible following construction.

**Cumulative Impacts:** Impacts from culvert removal and replacement would be limited to the construction period and a short recovery period. The potential short term impacts from sedimentation would be minor compared to the long term benefits provided by the installation of a culvert that is hydraulically appropriate that will pass sediments during base and flushing stream flows. If the project performs as anticipated, little maintenance will be required. The project will be monitored following completion to determine if unexpected impacts to land resources occur.

2. <u>AIR</u>	IMPACT *	Can Impact Be	Comment
Will the proposed action result in:	None Minor * Potentially Significant	Mitigated*	index
a. **Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))	X	No	2a
b. Creation of objectionable odors?	X	No	2b
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?	X		
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?	Х		
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)	X		
to increased emissions of pollutants?  e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air			_

**Comment 2a and 2b:** Use of heavy equipment could impact air quality and create objectionable odors during construction in the immediate area. These impacts would be limited to period of construction (less than one week).

**Cumulative Impacts:** Impacts to the air from pollutants and odors are expected to short term and minor. Use of heavy equipment will be minimized to the extent possible and construction will occur over as short of time frame possible to minimize impacts. No cumulative impacts are anticipated.

3. <u>WATER</u>		IMI	PACT *		Can	Comment Index
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Impact Be Mitigated*	index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			Х		Yes	3a
b. Changes in drainage patterns or the rate and amount of surface runoff?		Х				3b
c. Alteration of the course or magnitude of floodwater or other flows?		Х				3c
d. Changes in the amount of surface water in any water body or creation of a new water body?		Х				
e. Exposure of people or property to water related hazards such as flooding?		Х				
f. Changes in the quality of groundwater?		Х				
g. Changes in the quantity of groundwater?		Х				
h. Increase in risk of contamination of surface or		Х				

groundwater?			
i. Effects on any existing water right or reservation?	X		
j. Effects on other water users as a result of any alteration in surface or groundwater quality?	Х		
k. Effects on other users as a result of any alteration in surface or groundwater quantity?	Х		
I. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)	X		
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)	Х		
n. Other:			

**Comment 3a:** There would be a temporary increase in turbidity during construction. BMPs would be in place before, during, and after construction to reduce turbidity impacts. All required permits would be obtained prior to construction, including: Montana Stream Protection Act (SPA 310), Short-Term Water Quality Standard for Turbidity (318 Authorization), and Federal Clean Water Act (404) permits.

**Comments 3b and 3c:** The proposed action will not affect the amount of surface stream flow runoff, but could increase the magnitude by conveying flows through the crossing more efficiently. Although expected to be minor, these changes to flows could potentially increase erosion risk immediately below the project area. However, depending on anthropogenic sediment loads upstream of the crossing, we anticipate that post-implementation of the proposed action, the impacts on channel maintenance flows may result in increased stream channel stability downstream. Following construction, stream bank erosion both above and below the project area will be monitored and appropriate stream stabilization measures will be implemented if necessary.

**Cumulative Impacts:** The proposed action would have a short-term effect on water quality during construction activities. Effects to water quality are expected to be localized and diminish shortly after construction. BMPs in place during construction should also minimize effects of turbidity. Overall impacts to water quality from this project are not expected to have negative effects to fisheries resources over the long term and could vary from no impact to providing beneficial impacts to water quality and stream channel function downstream.

4. <u>VEGETATION</u>	IMPACT *			Can Impact	Commen	
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Be Mitigated*	t Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			Х		Yes	4a
b. Alteration of a plant community?		Х				
c. Adverse effects on any unique, rare, threatened, or endangered species?		х				
d. Reduction in acreage or productivity of any agricultural land?		Х				
e. Establishment or spread of noxious weeds?			Х		Yes	4e

f. **** For P-R/D-J, will the project affect wetlands, or prime and unique farmland?	Х		
g. Other:			

**Comment 4a:** During construction there will be localized impacts to vegetation during removal of the old culvert and placement of the new one. Impacts to vegetation would be limited to staging areas and ground immediately adjacent to the construction site, which is a road bed. Following construction, all disturbed areas will be mulched and reseeded with a native plant mix. Woody riparian species may also be planted to help stabilize banks.

**Comment 4e:** Temporary and localized disturbance to the ground during construction may create an environment conducive to noxious weed recruitment and growth. In addition, machinery and equipment used during the project may inadvertently carry noxious weeds to the project site. Proposed mitigation includes: 1) Washing all equipment and vehicles prior to work on the construction site; removal of mud, dirt, and plant parts from project equipment before moving into the project area; 2) Inspection of the project area for noxious weeds annually for three years after the project is completed. If noxious weeds are found in the project area after completion, integrated weed management methods, including bagging and appropriate disposal would be implemented. Inspections would continue for at least three years after weeds are observed.

**Cumulative Impacts:** Impacts to vegetation from culvert removal and replacement would be short term, minor, and limited in scope. We do not expect the proposed action will result in other actions or combine with other actions that would create negative cumulative impacts to the vegetation in Skelly Gulch.

** 5. FISH/WILDLIFE	IMPACT *				Can Impact Be	Comment Index
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Mitigated *	
a. Deterioration of critical fish or wildlife habitat?			Х		Yes	5a
b. Changes in the diversity or abundance of game animals or bird species?		Х				
c. Changes in the diversity or abundance of nongame species?		Х				
d. Introduction of new species into an area?		Х				
e. Creation of a barrier to the migration or movement of animals?				X	No	5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		Х				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			Х		Yes	5g
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		х				
i. *** <u>For P-R/D-J</u> , will the project introduce or export		Х				

receiving location? (Also see 5d)			
j. Other:			

**Comment 5a:** During construction, water quality may temporarily decline which could have short term effects to fish (see Water, Comment 3a). Implementation of BMPs and erosion control measures should make any alterations to fish habitat short term with minor impacts.

**Comment 5e:** The goal of the proposed action is to create a migration barrier that prevents the movement of brook trout upstream to protect the WCT population above the culvert. The action will have a positive impact on WCT security and reduces one potential extinction risk to WCT in the Skelly Gulch population.

**Comment 5g:** Construction is expected to take one week or less. During construction, noise levels in the immediate area would be elevated, which could stress resident wildlife populations. Construction activities would occur during base flow conditions (late summer) after most breeding and nesting seasons and prior to hunting seasons.

**Cumulative Impacts:** Impacts to fish and wildlife during construction would be short term and minor. The proposed action is not expected to result in other actions or combine with other actions that would create cumulative impacts to fish and wildlife resources of Skelly Gulch.

#### **B. HUMAN ENVIRONMENT**

6. NOISE/ELECTRICAL EFFECTS		IME	PACT *			
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?			Х		No	6a
b. Exposure of people to serve or nuisance noise levels?		Х				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		Х				
d. Interference with radio or television reception and operation?		х				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**Comment 6a:** During construction (one week or less) there would be heavy equipment operating in the immediate area which would increase ambient noise levels. There would also be a slight increase in use of the Skelly Gulch road for mobilization of equipment.

**Cumulative Impacts:** Increases in noise during construction are short term and minor. The proposed action is not expected to result in other actions that would create increased noise in the riparian area, thus no cumulative impacts are anticipated as a result of the proposed actions.

7. LAND USE	IMPACT *				Can Impact Be	Comment Index
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Mitigated *	
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		Х				7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		Х				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		х				
d. Adverse effects on or relocation of residences?			Х		Yes	7d
e. Other:						

**Comments 7a and 7d:** Development and land use above the construction site is limited; however, there are two seasonally occupied homes/cabins and a limited amount of mining activity. During construction, access above the construction area will be limited. FWP will work with local landowners to determine a construction time that will not interfere with activities that require access above the stream crossing.

**Cumulative Impacts:** Impacts on land use would be short term and minor. The proposed action is not expected to result in other actions that would impact land use on Skelly Gulch. As such there are no cumulative impacts related to land use from the proposed project on Skelly Gulch.

8. RISK/HEALTH HAZARDS		IMF	PACT *			
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			Х		Yes	8a
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		Х				
c. Creation of any human health hazard or potential hazard?		Х				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		Х				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**Comment 8a:** During construction, BMPs will be in place to minimize the effects of accidental fuel or oil spills by construction personnel.

**Cumulative Impacts:** No other actions in Skelly Gulch appear to have impacts that would be cumulative in nature that would increase the risk of hazardous materials or health hazards.

9. COMMUNITY IMPACT		IMF	PACT *			
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		Х				
b. Alteration of the social structure of a community?		Х				
c. Alteration of the level or distribution of employment or community or personal income?		Х				
d. Changes in industrial or commercial activity?		Χ				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			Х		No	9e
f. Other:						

**Comment 9e:** During mobilization and construction there would be heavy equipment operating at the construction site and movement of equipment and materials on Skelly Gulch road. There will be a short period of time where the road will be impassable at the construction site. Construction activities will be coordinated with adjacent landowners to reduce impacts of limited access (See Land Use).

**Cumulative Impacts:** Community impacts are expected to be short term and minor. Any traffic hazards are expected to be short in duration (one week or less) and have minimal impacts to community access or use of Skelly Gulch and no other actions appear to have impacts that would be cumulative in nature.

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT *					
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		Х				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		Х				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		Х				
d. Will the proposed action result in increased used of any energy source?		Х				
e. **Define projected revenue sources		Х				

f. **Define projected maintenance costs.	Х		
g. Other:			

** 11. AESTHETICS/RECREATION	IMPACT *					
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			Х		Yes	11a
b. Alteration of the aesthetic character of a community or neighborhood?		Х				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		×				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		х				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**Comment 11a:** Disturbance of the ground and vegetation during and immediately following construction may be aesthetically displeasing. Any areas disturbed during construction activities will be recontoured and revegetated as soon as possible following construction.

**Cumulative Impacts:** Impacts to aesthetics during and following construction is expected to be short term and minor. All areas disturbed by construction will be revegetated as soon as possible using native seed mix and riparian woody vegetation if deemed necessary. Impacts from the proposed action are not expected to affect recreation in Skelly Gulch. We do not foresee any other activities in the drainage that would add to impacts of the proposed action. As such there are no cumulative impacts to recreation/aesthetics from the proposed installation of the culvert fish barrier on Skelly Gulch.

12. CULTURAL/HISTORICAL RESOURCES	IMPACT *					
Will the proposed action result in:	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?	Х					12a
b. Physical change that would affect unique cultural values?		Х				
c. Effects on existing religious or sacred uses of a site or area?		Х				

d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)	X		12d
e. Other:			

**Comment 12a and 12d:** A cultural/historical survey including consideration of archaeological resources and Native American culture has not yet been completed. A full cultural/historical survey of the site, including SHPO concurrence, will be obtained prior to construction. If cultural resources were observed, mitigation or the proposed project would be modified to minimize any impacts to these resources. As most of the construction area is within the existing road bed, significant impacts to cultural resources are not expected.

**Cumulative Impacts:** Since the proposed project encompasses a relatively small area and primarily occurs within the existing roadbed, this project is not expected to affect the cultural resources of Skelly Gulch. A cultural/historical survey will be completed prior to construction. We do not foresee any other activities in the drainage that would add to impacts of the proposed action. As such there are no cumulative impacts to cultural/historical resources from the proposed installation of the culvert fish barrier on Skelly Gulch.

#### C. SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE		1845				
Will the proposed action, considered as a whole:	Unknown *	None	PACT *  Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		Х				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		Х				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		Х				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		Х				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		Х				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		Х				
g. **** <u>For P-R/D-J</u> , list any federal or state permits required.						13g

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

**Comment 13g:** The following permits would be required for the proposed project:

SPA 124 Permit—Montana Stream Protection Act (FWP)
318 Authorization—Short-term Water Quality Standard for Turbidity (Montana DEQ)
404 Permit—Federal Clean Water Act (U.S. Army Corps of Engineers)

#### PART III. ALTERNATIVES

#### Alternative 1—No Action

The no action alternative would be to not replace the existing culvert crossing, which acts as a partial fish barrier. Brook trout would continue upstream colonization of Skelly Gulch and eventually may reach densities high enough to completely displace native WCT above the road crossing. FWP would continue mechanical removal of brook trout above the crossing; however, time and budget constraints may prevent removals on an annual basis. Aggredation of sediments at the road crossing would continue and further increase the risk of washout during high flows and increased sediment loads downstream that could increase channel instability.

#### Alternative 2—Proposed Action

The proposed action involves replacing the current culvert crossing, which acts as a partial fish barrier, and replacing it with a culvert placed at the appropriate length, slope, and drop to make it a complete fish barrier. The culvert would be sized to pass a flow calculated to be a 25 year event. The predicted benefits of Alternative 2 include:

- Protection and conservation of a genetically pure WCT population inhabiting approximately 6 miles of Skelly Gulch by preventing further upstream colonization by brook trout.
- Reduced risk of road crossing failure during high stream flows.
- Reduction in the risk of potential listing of WCT under the Endangered Species Act.

#### PART IV. ENVIRONMENTAL ASSESSMENT CONCLUSION SECTION

A) Is an EIS required? No

Analysis in this environmental review demonstrates that the impacts of this proposed project would have no significant impacts on the physical, biological, or the human environment. The proposed action would provide benefits to westslope cutthroat trout in the Skelly Creek Drainage. Therefore, an Environmental Assessment is the appropriate level of analysis and an EIS will not be prepared.

B) Public Involvement.

This EA would be posted on the MFWP internet site (http://fwp.mt.gov/publicnotices/) and mailed directly to interested persons. Any interested citizen would be encouraged to contact MFWP and the preparer of this EA to discuss the proposal or to provide comments.

C) Duration of the comment period?

The comment period is 30 days. Public comment would be accepted through March 2, 2011 at 5:00 PM.

D) Name, title, address, and telephone number of the Person Responsible for Preparing the EA Document.

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Date Prepared: 1/27/2011

Submit written comments to: Montana Fish, Wildlife & Parks

R-4 Fisheries Bureau Skelly Gulch EA Comments

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